

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**December 28, 2001**

DIVISION ONE

[illegible]

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.  
Mallano, J.

B144002      People                          (Not for Publication)  
v.  
**Jackson**

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.  
Mallano, J.

B142393      People                          (Not for Publication)  
v.  
Reid

The judgment is reversed.

Spencer, P.J.

I concur: Mallano, J.  
I concur: Vogel (Miriam A.), J. (Opinion)

DIVISION TWO

B147253      People                          (Not for Publication)  
v.  
Franklin

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The judgment is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

B148391 People (Not for Publication)  
B151176 v.  
Barnes

The judgment (order imposing sentence) is affirmed; the petition for writ of habeas corpus is denied.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

B143046      People                                  (Not for Publication)  
v.  
Gonzalez

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The order revoking probation is affirmed.

Nott, J.

We concur: Boren, P.J.  
Doi Todd, J.

## DIVISION TWO (Continued)

[illegible]

The judgment is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

B146565 Indian Head Water Company (Not for Publication)  
v.  
S.C.L.A.  
Hart

Let a writ of mandate issue directing respondent court to set aside that portion of its order excluding from the class those individuals who submitted declarations in support of Indian Head's opposition to the class certification motion. In all other respects, the petition for writ of mandate is denied. The writ shall further direct the Presiding Judge of the Los Angeles County Superior Court to assign another judge to conduct further proceedings in the within case. The temporary stay is vacated, and the order to show cause is discharged. The parties to pay their own costs.

Boren, P.J.

We concur: Nott, J.  
Cooper, J. (Assigned)

B146479 Morris (Not for Publication)  
v.  
2212 Cahuenga LTD.

We affirm the summary judgment.

Doi Todd, J.

We concur:   Boren, P.J.  
                      Nott, J.

## December 28, 2001-Continued

## DIVISION TWO (Continued)

B146233      Melnik      (Not for Publication)  
v.  
Fields

The judgment appealed from is reversed. Respondents will bear appellants costs on appeal.

Nott, J.

We concur: Boren, P.J.  
Doi Todd, J.

B145177      Egerstrom                                  (Not for Publication)  
v.  
Topa Insurance Company

The judgment appealed from is affirmed. Topa will recover costs from appellants.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

B141827      Gates      (Not for Publication)  
v.  
Nicholson

The order appealed from is affirmed. Each party will bear their own costs on appeal.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

DIVISION TWO (Continued)

B144005      Citrus Center                      (Not for Publication)  
                 v.  
                 Van Maanen

The interlocutory judgment of foreclosure is affirmed. The matter is remanded to the trial court for further proceedings in accordance with this opinion. The parties are to bear their own costs on appeal.

Doi Todd, J.

We concur:   Boren, P.J.  
                 Nott, J.

B146384      Tucker Land Company              (Certified for Publication)  
                 v.  
                 State of California

The judgment is affirmed. Respondents are awarded costs on appeal. The matter is remanded to the trial court for a determination of whether any award of costs in connection with this appeal include attorney fees.

Doi Todd, J.

We concur:   Boren, P.J.  
                 Nott, J.

B148213      SMS Financial                      (Not for Publication)  
                 v.  
                 Benigno

The parties are ordered to bear their own respective costs on appeal.

Nott, J.

We concur:   Boren, P.J.  
                 Doi Todd, J.

## DIVISION TWO (Continued)

B140804 People v. Harris (Not for Publication)

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.  
Doi Todd, J.

DIVISION THREE

B134225 People v. Sanders (Not for Publication)

The judgment of conviction on count 1, related to the robbery of Lam Kam Theng, is reversed and the matter is remanded for resentencing in accord with the opinions expressed herein. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

B138562      Smith                          (Not for Publication)  
v.  
Landaverde

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The judgment is affirmed. Appellant Smith is ordered to bear her own costs.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

### DIVISION THREE (Continued)

B145059      Smith                                  (Not for Publication)  
v.  
Biomedics Corporation, et al.

The order and judgment granting defendants' motions for summary judgment is reversed. Costs on appeal to be borne equally by the parties.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

B134748      Methodist Hospital of Southern California et al.  
v.  
Superior Court, Los Angeles County  
(De Ruyter, r.p.i.)

Filed order vacating submission order of September 27, 2001. Due to the press of other court business and the complexity of the issues, additional time is needed to complete and file the opinion in this matter. Cause resubmitted.

B142999      Schifando  
v.  
City of Los Angeles

Filed order vacating submission order of September 27, 2001. Due to the press of other court business and the complexity of the issues, additional time is needed to complete and file the opinion in this matter. Cause resubmitted.

December 28, 2001-Continued

### DIVISION THREE (Continued)

B146007 People (Not for Publication)  
v.  
Calzada

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

B149292      Coulter      (Not for Publication)  
v.  
Disney Enterprises, Inc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

## DIVISION FIVE

B153149 Anna Romo et al.  
v.  
Mary Boynton

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed June 7, 2001) dismissed.

B154391      Inglewood Crossroads Homeowners Association  
v.  
Inglewood Venture et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed October 17, 2001) dismissed.